

*Eugene T. Smith*

*Attorney at Law*

(202) 347-2363

RECEIVED

715 G Street, S.E.

SEP 20 1996

Washington, D.C. 20003

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

September 20, 1996

Mr. William Caton  
Acting Secretary  
Federal Communications Commission  
Washington, D.C. 20554

DOCKET FILE COPY ORIGINAL

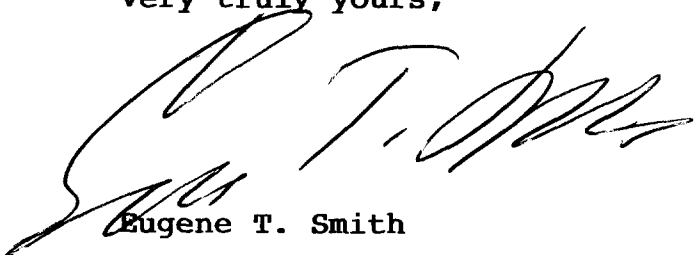
Re: Amendment of  
§ 73.202 (b)

Dear Mr. Caton:

On behalf of Sports America Radio Network, there are transmitted herewith for filing an original and four copies of a Petition For Rule Making seeking to amend § 73.202 (b) of the Commission's Rules.

If additional information is needed, please contact the undersigned.

Very truly yours,

  
Eugene T. Smith

ETS:ch

Attachments

No. of Copies rec'd  
List A B C D E

043

RECEIVED

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

SEP 20 1996

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of )  
 )  
Amendment of Section 73.202 (b), )  
Table of Allotments, )  
FM Broadcast Stations )  
 )  
(Asbury, Iowa) )  
 )  
 )  
 )  
 )  
 )  
 )  
 )  
To: Chief, Allocations Branch )  
Policy and Rules Division )  
Mass Media Bureau )

MM Docket No. \_\_\_\_\_  
RM- \_\_\_\_\_

PETITION FOR RULE MAKING

Sports America Radio Network (Petitioner), by its attorney,  
files herewith a Petition For Rule Making requesting that the  
Commission amend § 73.202 (b) of its Rules in the following respect:

City	Present	Proposed
Asbury, Iowa	277A	277A
		238C3

In support of this request, the following is shown:

1.) Attached hereto, and incorporated by reference, is an engineering report prepared by Petitioner's Consulting Engineers, Evans Associates. The engineering report details that the proposed amendment of § 73.202 (b) of the Commission's Rules can be completed under the spacing requirements of the Commission's Rules.

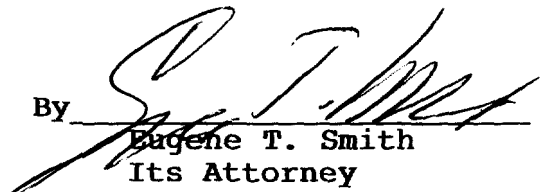
2.) Public interest considerations are present in that this proposed addition to the FM Table of Assignments will provide Asbury, Iowa, with its second transmission service.

For these reasons, it is respectfully requested that the Commission issue a Notice of Proposed Rule Making as reflected in this Petition.

Respectfully submitted:

SPORTS AMERICA RADIO  
NETWORK

By



Eugene T. Smith  
Its Attorney

September 20, 1996

715 G Street, S.E.  
Washington, D.C. 20003

202-347-2363



ENGINEERING REPORT

A PETITION FOR RULE MAKING  
TO AMEND THE FM TABLE OF ALLOTMENTS

TO ASSIGN FM CHANNEL 238C3  
TO ASBURY, IOWA

SEPTEMBER 1996

COPYRIGHT © 1996 BY EVANS ASSOCIATES

ALL RIGHTS RESERVED



## ENGINEERING STATEMENT

This Engineering Statement and the attached figure have been prepared by B. Benjamin Evans of Evans Associates, Consulting Communications Engineers in Thiensville, Wisconsin. This exhibit supports a petition by Sports America Radio Network (SARN) requesting modification of the Table of FM Allotments to specify FM Channel 238C3 at Asbury, Iowa.

\*\*\*\*\*

Evans Associates has been retained by SARN ("petitioner") to prepare the engineering portion of a petition for rule making to assign FM Channel 238C3 to Asbury, Iowa. The city of Asbury is located in Dubuque County in east central Iowa. There is, at present, one radio service assigned to Asbury.

As a result of a frequency search conducted by this office, it has been determined that Channel 238C3 may be assigned to Asbury, Iowa as a second audio service; however, this proposed allotment is contingent on station KMAQ in Maquoketa, Iowa changing frequency from channel 237A to channel 236A as per their pending construction permit (BPH-941003IE).

Therefore, it is requested that Section 73.202(b) of the FCC Rules and Regulations be amended in the following manner:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
Asbury, Iowa	277A	277A
		238C3



Engineering Statement - Page 2

Asbury, Iowa

It is the petitioner's intention to apply for a construction permit to operate on the FM channel proposed herein, if it is assigned.

The reference point coordinates of the city of Asbury are:

N. 42°-31'-04" ; W. 90°-46'-14"

The assignment of Channel 238C3 to Asbury will meet all minimum distance separation requirements under the FCC rules if the transmitter site is located 1.9 kilometers west of the center of Asbury.

The transmitter site coordinates assumed for the purposes of this petition for rule making are:

N. 42°-31'-16" ; W. 90°-47'-39"

From this location, the city of license coverage would be assured.

In view of the above, it is believed that the assignment of Channel 238C3 to Asbury, Iowa would be in the public interest.

The foregoing statement and the attached figure are true and accurate to the best of my knowledge and belief.

B. Benjamin Evans

September 13, 1996

#### ATTACHED FIGURE

Figure 1 ----- Allocation Study - FM Channel 238C3, Asbury IA



**FIGURE 1**

Evans Associates  
210 S. Main Street  
Thiensville, WI 53092  
FM FREQUENCY ALLOCATION STUDY

Channel: 238C3 ( 95.5 MHz) 25 KW ERP  
Coordinates: 42 - 31 - 16 90 - 47 - 39 100 M HAAT  
Job Title: NEW - ASBURY IA  $\Phi$  indicates 73.215 Facility  
Cl.A Spacing: 73.207

CALL	$\Phi$	CITY	CH/CL-ZN	ERP-kw	HAAT-m	DA	LATITUDE	BEAR-to	DIST-km	REQ
STATUS	STATE	FCC#	APPLICANT/LICENSEE				LONGITUDE	-from- $^{\circ}$ T	CLEAR-km	-km
KMAQFM		Maquoketa	236A	6.0	100		42 5 26	164.1 $^{\circ}$	49.7	41.5
CP	IA	BPH941003IE>	Maquoketa Broadcasti				90 37 43	344.2 $^{\circ}$	+8.2	
KQMGFM		Independence	237A	2.9	125		42 28 32	267.1 $^{\circ}$	88.9	88.5
LIC	IA	BLH950605KB>	Midwest Broadcasting				91 52 26	86.4 $^{\circ}$	+0.4	
KXPW		Belle Plaine	238C3	25.0	100		41 44 47	236.1 $^{\circ}$	152.7	152.5
CP M	IA	BMPH931118IE>	Cynthia A. Siragusa				92 19 11	55.1 $^{\circ}$	+0.2	
WSEY	$\Phi$	Mount Morris	239A	3.2	109		42 4 19	113.4 $^{\circ}$	123.9	88.5
CP M	IL	BMPED951113IF>	American Family Asso				89 25 8	294.3 $^{\circ}$	+35.4	
WTRV		La Crosse	239C2	50.	150		43 37 58	342.3 $^{\circ}$	129.8	116.5
LIC	WI	BLH890213KF>	Lacrosse May B/Casti				91 17 6	162.0 $^{\circ}$	+13.3	
KMXG		Clinton	241C1	100.	299		41 37 58	162.1 $^{\circ}$	103.7	75.5
LIC	IA	BLH861017KB>	Signal Hill Communic				90 24 38	342.4 $^{\circ}$	+28.2	
VACA		Sageville	291A				42 35 42	36.0 $^{\circ}$	10.1\	
	IA	94-145	>				90 43 18	216.0 $^{\circ}$		
NEW		Sageville	291A	4.40	117		42 38 8	49.6 $^{\circ}$	19.7	11.5
APP	IA	BPH950727MA>	The Sageville Shoppe				90 36 39	229.8 $^{\circ}$	+8.2	

>> \*\*\* CHANNEL SUITABLE FOR ASSIGNMENT \*\*\* <<